

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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KENNETH AND PAMELA PRICE JEAN

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Plaintiffs

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v.

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**C.A. NO. 03-12306FDS**

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TOWN OF ASHBURNHAM et al

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Defendants

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**MOTION TO CONTINUE STATUS CONFERENCE**

Now comes plaintiff Kenneth Jean and respectfully moves this Honorable Court continue and reschedule the status conference presently scheduled for Thursday, September 7, 2006, until Thursday, September 14, or until the afternoon of September 25 or until September 26, 27 or 28, 2006.

As reason, counsel for plaintiff Kenneth Jean has two depositions scheduled for that day in the case of Kennedy et al v Town of Billerica et al, C. A. No. 04-CV-12357-PBS. These are third party depositions of reluctant witnesses and thus cannot be changed easily. Additionally, a hearing has been scheduled for several discovery motions in the same case, at 12:00 p.m. Counsel expect to interrupt the depositions for the hearing.

This case is scheduled for trial on October 16, 2006, before Judge Saris and thus time is of the essence in that case. On the other hand, there is no trial date set in this case, discovery is largely completed and the short continuance requested by plaintiff Kenneth Jean's counsel in this case will not delay trial or prejudice any party.

Respectfully submitted,  
Kenneth Jean,  
by his counsel

Date: September 5, 2006

/s/ Andrew M. Fischer  
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